THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No.18448 of 2007

DATED: 30.08.2007

Between:

N.Sathaiah, S/o Bagaiah E-89639, Conductor,
Narayanakhed Depot, R/o Narayanakhed,
Medak District.

..... PETITIONER

AND

The ASPRTC., rep., by its Managing Director,
Musheerabad, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No.18448 of 2007

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the third respondent in suspending the petitioner, vide proceedings dated 23.08.2007, as arbitrary and illegal.

It is the case of the petitioner that he was employed as conductor in the respondent-Corporation. While he was conducting the bus on Srisailam-Narayanakhed route on 14.08.2007, an inspection was undertaken at Stage No.41 i.e, Mannur at about 11.30 hours, and it was alleged to have been found that a passenger was alighting at Mannur having boarded at Patalaganga ex-stages 47 to 41 with tickets bearing Nos.987/062614 of Rs.20/- denomination and 541/764028 of Rs.6/- denomination, and on verification of tickets with star documents it was found that the ticket bearing No.987/764028 of Rs.20/- denomination

was already issued at Stage No.1 in up journey and accounted in star document and the petitioner alleged to have issued the same invalid ticket to the said passenger boarded the bus at stage No.47 in down journey duly collecting the fare. Therefore, petitioner was issued charge sheet on 23.08.2007 and also was issued order of suspension dated 23.08.2007. Questioning the said order of suspension, this writ petition is filed.

Learned counsel for the petitioner submits that the passenger, who was found with invalid ticket, has shown old ticket in a hurry in order to avoid fine and that petitioner has not committed any such irregularity. The learned counsel further submits that petitioner is going to retire within a short time and if the enquiry initiated against the petitioner is not completed expeditiously, he would suffer irreparable loss and hardship.

On the other hand, learned standing counsel for the respondents submits that petitioner has committed serious irregularities and already enquiry has been initiated against the petitioner, and as such he is not entitled to any relief in this writ petition.

A perusal of the impugned order of suspension indicates that serious allegations are made against the petitioner and this Court cannot go into the said allegations, and it is subject matter of enquiry. However, as the petitioner is due to retire in a short time, it is appropriate to direct the respondents to expedite the enquiry.

Accordingly, the writ petition is disposed of directing the respondents to complete the enquiry initiated against the petitioner and pass appropriate orders within a period of two months from today. There shall be no order as to costs.

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30.08.2007

Note: Furnish C.C. in one week.

(B/o)

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